

EXHIBITS TO WORTHPOINT MOL ECF 476

EXHIBIT #1 A Plaintiff's 8/30/22 Deposition Pages 121-122 and , 178 only Yahoo email.

#1 B Plaintiff Evid. 000160 meta data coding with 1972 ad on WP website.

#1 C EAI for selling counterfeit items of China not French porcelain

#1 D 2015 lawsuit Rosen vs Terapeak/ WorthPoint

#1 Plaintiff's Aug.30, 2022 Deposition Page 130

EXHIBIT #2 A Pl. Evid. 000475 -482. Georgia Summons and Complaint

#2 B Pl. Evid. and Pl. Evid. 000488—489 Phone Call and Deposition

#2 C Pl. Evid. in 000492 Jan.4 and 000493 Jan.11 Proof of Mailing 2021

#2 Plaintiff's Evid. 000490 Will Seippel Dec. 8, 2020 email to Plaintiff

EXHIBIT # 3A Plaintiff' childhood signature in print, script full page of 1972 notebook

3B Plaintiff's Evid. bate stamped 000149 Plaintiff Evid. 000150 and 000151

EXHIBIT #4 Norb Novocin testified on page 38 and page 47 and 52

EXHIBIT#5 Plaintiff's August 30, 2022—deposition page 101 and pages 173 to 175.

EXHIBIT #6 Plaintiff's proof of filing on April 17, 2023 Declaration with exhibits to Pro Se Intake Unit.

EXHIBIT # 7 Judge Abrams ECF 187 page 14

EXHIBIT #8A Norb Novocin Phone Transcript Pl's Evid 000887 to 000891

8B EAI000001- EAI000002 and EAI000003-Plaintiff's 2017 settlement letter.

8C eBay phone transcript Page 9,

EXHIBIT #9 WorthPoint's evidence WP 000132, 000133 and 000134

EXHIBIT #10 A Pl. Evid 000061 to 000070 2017 Google Listing—and WorthPoint emails

#10 B WorthPoint Evid. WP000062, WP000096 and WP0000135 Feb.20, 2016

#10 C Will Seippel June 29,2020 Declaration Pl. Evid. 000214, 000215 000216

EXHIBIT#11 Pl Evid. Feb 16,2016 000042–000043 and WP evidence 0000070- 0000071

EXHIBIT #12A Pl. Evid. 000370 000371 Feb 17, 2016 “You visited this page “ also noted in 12 B and Feb. 16, 2016 evid. in Pl. Evid. 000045 WorthPoint's Evid WP000071.

EXHIBIT #13 Plaintiff Evid. 000061 000062 March 15, 2017

EXHIBIT #14 Pl. Evid. 000069 000070 000071 May 7, 2017 WorthPoint 1972 Webpages

EXHIBIT # 15 Plaintiff's. Evidence 000879 and000880 WorthPoint email

EXHIBIT #16 A Jason Packer's declaration with Plaintiff's wrong email on pages 9 and 10.

#16 B Plaintiff's deposition pages 47-48 and 178 only Yahoo email

#16 C Pl's website email WorthPoint sent March 25, 2022 email Terms of Use

EXHIBIT #17 Two different document with two different dates and years with the same WorthPoint bate stamped No. WP000132

Exhibit A

Page 121

1 A. Trombetta

2 sold.

3 Q. In 2012; correct?

4 A. According to this document it states
5 that the sale was in 2012.

6 Q. So do you see where it says source?

7 A. EBay is what I see, source eBay.

8 Q. And do you see what it says under
9 channel?

10 A. Online auction.

11 Q. Do you have any understanding as to
12 where this page came from?

13 A. Since I did not do the painting and I
14 have no idea nor have I ever done business with
15 eBay, I cannot answer that question.

16 Q. You have no evidence as to where this
17 came from: correct?

18 A. I have what you have, a document in
19 front of me with information. Whether that
20 information is correct based on the way my name is
21 spelled, I would say no. Based on the claim that
22 this was done by New York artist Annamarie
23 Trombetta, which is very succinct, there is only
24 one of me in New York City who is an artist with
25 that name. So that directly points to one and

EXHIBIT #1A

Page 122

1 A. Trombetta

2 only who is sitting here in front of you I did not
3 do that painting in 1972.

4 So in answer to your question, the
5 information has a lot of untrue, incorrect
6 statements.

7 Q. Can you read what it says under
8 channel online auction?

9 A. "Welcome to Estate Auctions Inc. We
10 are one of two" and I'm reading --

11 Q. From the top.

12 A. Is that correct; did you want me to
13 read that?

14 Q. Yes.

15 A. So off the record I am reading slow so
16 you can type. "Welcome to Estate Auctions Inc.,
17 we are one of the top sellers of antiques,
18 collections and quirky items on eBay. We have
19 been selling since 1998 and all of our auctions
20 start at 99 cents."

21 Q. Does this indicate to you as to where
22 the source of this listing emanated from?

23 A. As I stated earlier, there are a lot
24 of mistakes within this document. In answer
25 directly to your question, it states that I did

EXHIBIT

Page 178

1 A. Trombetta

2 and make an inquiry.

~~HIA~~

3 Q. Have you done that over the last six
4 years?

5 A. I cannot say that I have.

6 Q. Do you know whether there is any
7 evidence that Worthpoint visited your website
8 prior to February 2015 or August 2015?

9 A. I need to answer this in three
10 particular ways. First and for most, since this
11 occurred in 2015 it has been a nightmare in which
12 like a horror movie the source of the chaos and
13 confusion keeps coming back to life and has yet to
14 be vanquished.

15 Secondly, I have e-mails from
16 Worthpoint that were sent to my website.

17 Three, I never gave Worthpoint my
18 e-mail address from my website. That is an
19 important point.

20 Q. You have no record of Worthpoint being
21 on your website in 2012; correct? Yes or no?

22 A. At present I do not.

23 Q. And you have no record of Worthpoint
24 being on your website prior to August 13, 2015; is
25 that correct; yes or no?

Exhibit #1B

Exhibit #1B

Detail of Codes

EXHIBIT #1.C

Plaintiff's Evidence 000346



More Counterfeit Item

facebook.com

Wendy Martinez Estate Auctions Inc December 9, 2015 69

I have noticed that YOU are selling counterfeit items on Ebay such as pieces of China FROM China and listing them as French Limoges. Besides the fact that Ebay does not allow counterfeit items to be sold do you think it is ethical to misrepresent a fake item from China and pass it off as French porcelain??

Here is your counterfeit item from China that you are selling as French porcelain...

Dec. 9, 2016

Like Comment Share

Friend Requests

See All

Case 2:15-cv-00112-MWF-E Document 21-1 Filed 03/02/15 Page 1 of 4 Page ID #:72

Plaintiff's Evidence 000404

EXHIBIT
#1D

1 JAMES M. MULCAHY (CA SBN 213547)
 2 KEVIN A. ADAMS (CA SBN 239171)
 3 MULCAHY LLP
 4 jmulcahy@mulcahyllp.com
 5 kadams@mulcahyllp.com
 6 Four Park Plaza, Suite 1230
 7 Irvine, CA 92614
 8 Telephone: (949) 252-9377
 9 Fax: (949) 252-0090

10 Specially appearing for Defendant WorthPoint
 11 Corporation.

12
 13
 14 UNITED STATES DISTRICT COURT
 15
 16 CENTRAL DISTRICT OF CALIFORNIA

17
 18 Barry Rosen,

19 Plaintiff,

20 v.

21
 22 Terapeak, Inc., WorthPoint Corporation,
 23 and Does 1 through 10,

24 Defendants.

25 Case No. 2:15-cv-00112-AB-JPR

26
 27
 28 **DECLARATION OF WILLIAM H.
 SEIPPEL IN SUPPORT OF
 DEFENDANT WORTHPOINT'S
 MOTION TO DISMISS
 COMPLAINT FOR LACK OF
 PERSONAL JURISDICTION**

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EXHIBIT THREE

Page 130

1 A. Trombetta

2 Do you need to --

3 A. I began my formal training -- no. I
4 am trying to point out to you that it states in my
5 biography I began my formal training --

6 Q. Did you paint in --

7 A. -- in high school. In answer to your
8 question in high school.

9 Q. That's when you started painting in
10 oil?

11 A. That is correct.

Q. You never painted in oil before then?

13 A. For the record, oil and oil paints are
14 highly toxic. For a child to paint in oil the
15 atmosphere and the paints would have to be clearly
16 and carefully monitored. Some paints in oil have
17 a warning on them. That's how toxic they are.

18 Q. When did you start painting in oil?

19 A. Asked and answered.

20 Q. In high school?

21 A. Correct.

22 Q. So that would have been somewhere in
23 the late 1970s, early eighties?

24 A. 1980 I believe. I need to take a
25 bathroom break.

Plaintiff's Evidence 000476

Fulton County Superior Court
EFILEDLW
Date: 6/14/2022 4:01 PM
Cathelene Robinson, Clerk

IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA

**WORTHPOINT CORP., SHARI
SEIPPEL, AND WILLIAM SEIPPEL,**

PLAINTIFFS,

v.

ANNAMARIE TROMBETTA,

DEFENDANT.

Civil Action

File Number: 2022CV366175

COMPLAINT FOR DAMAGES

COME NOW, Plaintiffs, **WORTHPOINT CORP.** ("WorthPoint"), **SHARI SEIPPEL** ("SSeippel"), and **WILLIAM SEIPPEL** ("WSeippel"), and files this Complaint against Defendant **ANNAMARIE TROMBETTA** ("Trombetta"), alleging as follows:

I.

Parties

1.

WorthPoint is a Delaware corporation, validly existing, and in good standing under the laws of the State of Georgia with its principal place of business within Georgia located at 5 Concourse Parkway, Suite 2900, Atlanta, Georgia 30328

2.

SSeippel is an individual residing within Fulton County.

3.

WSeippel is an individual residing within Fulton County.

Plaintiff's Evidence 000477

~~EXHIBIT #2A~~

4.

Trombetta is an individual resident of the State of New York. Trombetta has subjected herself to the jurisdiction of this Court. Trombetta can be served at 175 E. 96th Street (12R), New York, New York 10128.

5.

Venue and jurisdiction is proper in the Superior Court of Fulton County.

II.

Background Facts

6.

On February 5, 2018, Trombetta filed suit in the Southern District of New York against Defendants Estate Auctions, Inc., Norb Novocin and Maria Novocin.

7.

Trombetta's suit is based upon an alleged misattribution of a painting to Trombetta by the Defendants named above. Trombetta alleges various causes of action and is seeking damages related to her claim for loss of professional reputation.

8.

Throughout the court of the litigation, Trombetta failed to comply with various scheduling orders and directions of the Court, causing numerous delays in the matter.

9.

On December 3, 2019, approximately 10 months after filing suit, Trombetta first sought Court authorization to amend her Complaint.

Plaintiff's Evidence 000478

EXHIBIT
#2A

10.

Trombetta was directed to file her purported Amended Complaint by January 17, 2020. On that date Trombetta filed a pleading entitled "Proposed Amended Complaint."

11.

Trombetta then untimely filed a pleading entitled the "Operative Amended Complaint" on February 21, 2020.

12.

Trombetta's Amended Complaint alleged claims against WorthPoint, worthpoint.com, WSeippel, and Jason Packer, a WorthPoint employee.

13.

On March 19, 2020, Trombetta was ordered to effect service of the Amended Complaint on WorthPoint and WSeippel. Ms. Trombetta failed to properly effect service.

14.

On April 6, 2020, Trombetta was again ordered to effect service of the Amended Complaint on WorthPoint and WSeippel no later than May 21, 2020. Ms. Trombetta failed to properly effect service.

15.

Approximately one (1) full year after filing the Amended Complaint, Trombetta arranged service of process on WorthPoint and WSeippel. On Jan 1, 2020, service was delivered via certified mail to WorthPoint. On January 4, 2020, service was delivered via Certified Mail to WSeippel and SSeippel's home residence.

New Years
Day

Wrong
Year

Plaintiff's Evidence 000479

EXHIBIT H2A

16.

The Certified Mail with service for WSeippel was delivered to, and signed by, SSeippel.

17.

The method, timing and procedure of the service of process was wrongful.

18.

The service of process was coincided with the Christmas and New Year Year holidays in a purposeful effort to harass and disturb WSeippel, SSeippel and the remainder of their family.

19.

Additionally, Trombetta wrongfully failed to conduct any due diligence prior to filing her Amended Complaint as to the validity of the claims or parties.

20.

Trombetta's claims against worthpoint.com and Jason Packer were dismissed on or about July 16, 2020.

21.

On December 21, 2021, the Court dismissed all claims against WSeippel.

COUNT I – CLAIM FOR ABUSIVE LITIGATION BY WORTHPOINT AND
WSEIPPEL

22.

Plaintiffs WorthPoint and WSeippel reallege and incorporate by reference paragraphs 1 through 21 of the Complaint as if fully set forth herein.

Plaintiff's Evidence 000480

EXHIBIT # 2A
23.

The claims against WorthPoint were filed without substantial justification and lacked a basis in fact or law.

24.

The claims against WSeippel were filed without substantial justification and lacked a basis in fact or law.

25.

The claims against WSeippel were filed without any basis in fact for liability nor for personal jurisdiction.

26.

The claims against WorthPoint and WSeippel were filed with malice.

27.

As a result of Trombetta's abusive litigation, both WorthPoint and WSeippel incurred damages related to (1) attorneys' fees, (2) termination and replacement of business insurance coverage, and (3) salaries paid for employees who investigated the wrongful claims.

28.

The amount of damages incurred by WorthPoint totals Eighty-Five Thousand and 00/100 Dollars (\$85,000.00). The amount of damages incurred by WSeippel totals Forty Thousand and 00/100 Dollars (\$40,000.00).

Plaintiff's Evidence 000481

EAH(BD-A2A)

**COUNT II – CLAIM FOR NEGLIGENT OR INTENTIONAL INFILCTION OF
EMOTIONAL DISTRESS BY SEIPPEL**

29.

Plaintiffs WSeippel and SSeippel reallege and incorporate by reference paragraphs 1 through 28 of the Complaint as if fully set forth herein.

30.

Trombetta wrongfully delayed proper service of the Amended Complaint.

31.

Trombetta then intentionally, maliciously, and wrongfully arranged for service to be delivered to coincide with the Christmas and New Years holiday in a direct effort to cause emotional distress to WSeippel, SSeippel and their family.

32.

As a result of Trombetta's misconduct, WSeippel and SSeippel have suffered emotional distress including mental anguish, headaches, trouble sleeping and anxiety.

33.

Seippel requests compensatory and punitive damages against Trombetta in an amount to be proven at or before trial.

WHEREFORE, Plaintiffs pray for trial by jury and judgment as follows:

- (a) That each Plaintiff be awarded compensatory damages against Defendants for Trombetta's abusive litigation;
- (b) That Plaintiff Seippel be awarded compensatory and punitive damages for Trombetta's infliction of emotional distress;

Plaintiff's Evidence 000493

USPS.com® - USPS Tracking® Results

ALERT: USPS IS EXPERIENCING UNPRECEDENTED VOLUME INCREASES AND LIMITED EMPL...

USPS Tracking®

FAQs >

Track Another Package +

Exhibit # ~~1~~ Page 12 ~~1~~ C

Tracking Number: 70190160000091348478

Remove X

Your item was delivered to an individual at the address at 1:54 pm on January 11, 2021 in
ROSWELL, GA 30075.

Delivered

January 11, 2021 at 1:54 pm
Delivered, Left with Individual
ROSWELL, GA 30075

Get Updates ▾

Text & Email Updates

Tracking History

Jan 11, 2021

8478 9134 0105

**U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only**

For delivery information, visit our website at www.usps.com

OFFICIAL USE

0043 06 on Jan 4, 2021

Postmark Here

01/04/2021

William H. Seippel, Sharon A. Seippel
Street and Apt. No., or PO Box
City, State, Zip Code

PS Form 900, April 2015 FIM 750-02-000-0047
See Reverse for Instructions

Feedback

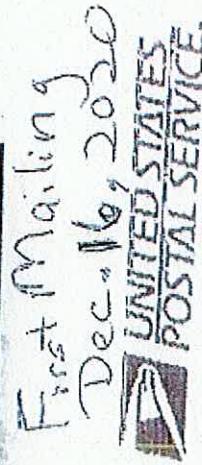
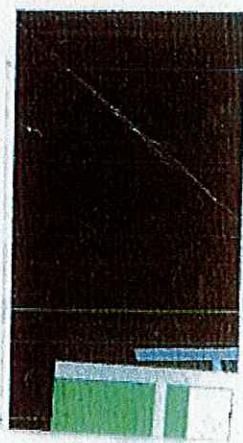
January 11, 2021, 1:54 pm

Delivered, Left with Individual
ROSWELL, GA 30075

Your item was delivered to an individual at the address at 1:54 pm on January 11, 2021 in ROSWELL, GA 30075.

January 11, 2021, 6:10 am

- Out for Delivery
- ROSWELL, GA 30075



Product	Qty	Unit Price	Price
First-Class Mail 16 Large Envelope	1	\$1.80	
Atlanta, GA 30328			
Weight: 0 lb 4.60 oz			
Estimated Delivery Date			
Mon 12/21/2020			
Certified Mail 16			
Tracking #: 70190160000091348409			
Return Receipt			
Tracking #: 9590 9402 2424 6249 3355 29			
Total			\$8.20
Grand Total:			
Debit Card Remitted			
Card Name: VISA			
Account #: X0000000000X8980			
Approval #: 025			
Transaction #: 009337			
Debit Card Purchase: \$8.20			
ATD: A0000000980840			
AL: US DEBIT			
PIN: Verified			

Plaintiff's Evidence 000492

EXHIBIT #2

Remove X

Tracking Number: 70190160000091348461

Your item was delivered to the front desk, reception area, or mail room at 8:01 pm on January 4, 2021 in ATLANTA, GA 30328.

Delivered

January 4, 2021 at 8:01 pm
Delivered, Front Desk/Reception/
ATLANTA, GA 30328

Get Updates ▾

Text & Email Updates

Tracking History

January 4, 2021, 8:01 pm
Delivered, Front Desk/Reception/
ATLANTA, GA 30328

Your item was delivered to the front desk, reception area, or mail room at 8:01 pm on January 4, 2021 in ATLANTA, GA 30328.

January 4, 2021

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> ■ Complete items 1, 2, and 3. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 		<p>A. Signature <input checked="" type="checkbox"/> Covid 19 <input type="checkbox"/> Agent <input type="checkbox"/> Addressee B. Received by (Printed Name) <input checked="" type="checkbox"/> RT 2842 1/4/21 <input type="checkbox"/> Date of Delivery C. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No D. Delivery address <i>Delivered 1/4/2021</i> </p>	
<p>1. Article Addressed to: William Seippe <i>WorthPoint Corporation</i> <i>5 Concourse Parkway, NE</i> <i>Suite 2850</i> <i>Atlanta, Georgia, 30328</i></p>		<p>3. Service Type <input type="checkbox"/> Adult Signature <input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Certified Mail® <input type="checkbox"/> Registered Mail Restricted Delivery <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Signature Confirmation <input type="checkbox"/> Insured Mail <input type="checkbox"/> Signature Confirmation Restricted Delivery <i>(Insured Mail Restricted Delivery over \$500)</i></p>	
<p>2. Article Number (Transfer from service label) 7019 0160 0000 9134 8461</p>		<p>Domestic Return Rece</p>	
<p>PS Form 3811, July 2015 PSN 7530-02-000-9053</p>			

USPS is experiencing unprecedented volume increases and limited employee availability.

EXHIBIT D

Notice To Dismiss

12/11/2020

Gmail - Third and Last Attempt to Request a Signature for the Waiver for Summons Plus the submission of the Dec. 2, 2020 Summons and Amende...



Plaintiff's Evidence 000490

Annamarie Trombetta <atrombettaart@gmail.com>

Third and Last Attempt to Request a Signature for the Waiver for Summons Plus the submission of the Dec. 2, 2020 Summons and Amended Complaint

Will Seippel <will.seippel@worthpoint.com>
To: Annamarie Trombetta <atrombettaart@gmail.com>
Cc: Will Seippel <will@worthpoint.com>, WorthPoint Support <support@worthpoint.com>, Arnie Lutzker <arnie@lutzker.com>, info@lutzker.com, dmca@lutzker.com

Tue, Dec 8, 2020 at 11:18 PM

[On this, we should take the max time we have to get back to her under the law. Not a day earlier. Since we are not obligated to go at her expanded pace then why go faster? Maybe she does not have the money to hire someone which is why she is throwing a tantrum. Won't this be the first time she has to spend money. We have to, so should she. There is nothing for us to do until she dips into her pocket. Maybe she won't and we are done.]

[Quoted text hidden]

Email
from
William
Seippel)

Dec 8, 2020

Plaintiff's Evidence 000489

Exhibit #1

2B

(Redacted)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ANNAMARIE TROMBETTA

Plaintiff,
-against-

Civil Case No. 18-cv-00993-RA-SLC

NORB NOVOCIN, MARINE NOVOCIN, ESTATE
AUCTIONS, INC., AND WORTHPOINT CORPORATION,

Defendants.

NOTICE OF DEPOSITION OF
PLAINTIFF ANNAMARIE TROMBETTA

PLEASE TAKE NOTICE that, Pursuant to Rule 30 of the Federal Rules of Civil Procedure, Defendant WorthPoint Corporation (hereinafter "WorthPoint") by and through its attorneys, WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER LLP, will take the deposition upon oral examination of Plaintiff Annamarie Trombetta, on the 30th day of August, 2022 at 9:00 a.m., at the law offices of WILSON ELSER MOSKOWITZ EDELMAN & DICKER, LLP, located at 150 East 42nd Street, New York, New York 10017.

The deposition will be conducted before an officer authorized by law to administer oaths for the purposes set forth in the Federal Rules of Civil Procedure and will be videotaped. If this deposition is not completed on said date, the taking thereof will continue from day to day thereafter, at the same time and via the same virtual means, weekends and holiday excluded.

Plaintiff is hereby advised that WorthPoint will be inquiring into the matters the matters listed in Exhibit A hereto.

Plaintiff's Evidence 000488

Call details

Exhibit #2

A

+191 [REDACTED]

New York

Phone Call
made by
Annamarie Trombet
ON

7:40 PM, Tue, Aug 30, 2022

0

Message | Call | Options